

Notice of Allowability

Application No.

09/956,911

Examiner

Cheukfan Lee

Applicant(s)

TAKAHASHI, HIROSHI

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed February 7, 2005.
2. ☒ The allowed claim(s) is/are 1-107, now renumbered 1-88, 90-98, 89, and 99-107, respectively.
3. ☒ The drawings filed on 21 September 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 08/565,296.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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1. All pending claims 1-107 are allowed. Claims 105-107 are newly added. Claims 1, 11, 22, 32, 42, 53, 63-71, 80, 89, and 105-107 are independent.
3. The following is an examiner's statement of reasons for allowance:

Claims 1-16, 18-26, 28-36, 38-47, 49-57, 59-65, 68-70, 80-94, and 97-104 were indicated allowed in the previous Office Action mailed October 6, 2004. The reasons for allowance for allowance were given in that Office Action will be repeated later in this Action after the discussion for claims 17, 27, 37, 48, 58, 95, and 96.

Dependent claims 17, 27, 37, 48, 58, and 95 have been amended to correct their dependencies. Claims 17, 27, 37, 48, 58, and 95 now depend directly or indirectly on claims 16, 26, 36, 47, 57, and 89, respectively, which depend on independent claims 11, 22, 32, 42, 53, and 89, respectively, which were indicated allowable. Claim 96 depends on claim 95.

The present application has an effective U.S. filing date of November 27, 1995 and a foreign priority date of November 28, 1994.

Independent claims 1, 11, 22, 32, 42, 53, 63-65, 80, and 89 each claim image size changing means for or a size-changing step of changing the size of the image of a spread of book pages of a book for storage in a specific manner claimed. This feature

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in combination with other limitations of any of the claims is not taught by the prior art of record.

Dependent claims 2-10, 12-21, 23-31, 33-41, 43-52, 54-62, 81-88 and 98, 90-97 and 101-104 are allowable for the reason given for their independent claims 1, 11, 22, 32, 42, 53, 80, and 89, respectively.

Claims 68-70 are allowable for the following reasons:

Claim 68 recites suppressing a memory range of storage of a portion of the image data that corresponds to a portion of the edge section in a side of the pages of the book being read. This feature in combination with other limitations of claim 68 is not taught by the prior art of record.

Claim 69 claims a specific storing step for storing image data corresponding to a difference specific size of a plurality of book pages in two different cases. This feature in combination with other limitations of claim 69 is not taught by the prior art of record.

In claim 70, the feature of deciding a start point for storing image data of the spread of book pages according to the result of detecting a position of a page edge section in the spread book pages, in combination with other limitations of claim 70 is not taught by the prior art of record.

Regarding claims 66, 67 and 71-78, the filing of the Terminal Disclaimer on February 7, 2005, which was approved on April 26, 2005, has overcome the obviousness-type double patenting rejection of claims 66, 67 and 71-78.

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Claim 66 is allowable over the prior art of record. Claim 66 requires reading an image of a spread of book pages and creating image data to be stored in a memory and setting a subset of image data to blank data when a memory address of the subset of image data is outside of a prespecified range, which in combination with other limitations of claim 66 are not taught by the prior art of record.

Claim 67 is allowable over the prior art of record because the prior art does not teach reading an image of a spread of book pages and creating image data to be stored after changing the size of the image data, computing a range for storing image data in the storing step when size of the image is changed, detecting a page size of new pages after turning a page of the book pages to a new page, and comparing the detected page size to the computed range when the image size is changed.

Claim 71 and its dependent claims 72-79 are allowable over the prior art of record because the prior art does not teach reading means for reading an image of a spread of book pages, a storage means for storing the read image data after size change of the image data, and processing means for making a range for storing image data in the storage means when a book page is read with the same size different from a range for storing image data in the storage means when a book page document is read with a changed image size.

New claims 105-107, all independent, claim limitations similar to those of claims 32, 42 and 53, respectively, and thus are allowable for the reasons given for claims 32, 42 and 53.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
May 13, 2005


Cheukfan Lee